

5023/015

REC'D 7/18
T. JOHNSON
F.S. OFFICEFS-2700-4c (1/93)
OMB No. 0596-0082
(Expires: 06/30/96)

U. S. DEPARTMENT OF AGRICULTURE Forest Service	Holder No. 5 1 8 0-0 1	Issue Date 2 7 / 2 6 / 9 7	Expir. Date 1 2 / 3 1 / 0 6
PRIVATE ROAD SPECIAL-USE PERMIT Act of October 21, 1976 (PL 94-579); 36 CFR 251.50, et seq 36 CFR 251.110 et seq Anilca 16 U.S.C. 3210	Type Site 7 5 3	Authority 6 7 6	Auth. Type - 2 0 -
	Region/Forest/District 0 4 / 1 8 / 0 3	State/County 4 2 / 0 2 3	
	Cong. Dist. 0 1	Latitude - - - - -	Longitude - - - - -

Robert Steele of Nephi, UT 84648
(hereafter called the Permittee) is hereby authorized to use National Forest lands for the reconstruction, maintenance, and use of a road within the Mt. Nebo Wilderness, Uinta National Forest for the following purposes:
to reconstruct and maintain a gravelled 16 foot wide travel route along the existing road alignment. Road drainage will be accomplished by using rolling dips, installing one 16 foot culvert in location to be specified and insloping/outsloping of the roadbed, inter-visible turnouts will be constructed. Road use will be strictly limited to activities associated with mining operation on lands described as MacFarlane 1, MacFarlane 4, and Little Doctor patented mineral interests. Upon termination of the use of this road, it will be reclaimed to its preconstructed conditions.

The lands covered by this permit are located in the County of Juab, State of Utah and are described as follows:

Sec. 21 & 22, T. 12 S., R. 1 E., SLM

This permit covers a right-of-way approximately one mile in length, 20 feet in width, containing approximately 2.5 acres, and is located upon the ground according to the survey line, figures, measurements, widths, and other references shown on the map attached hereto and made a part hereof.

This permit is made subject to the following terms, provisions, and conditions:

1. This permit is subject to all existing easements and valid rights existing on this date.
2. The Permittee in exercising the privileges granted by this permit shall comply with all applicable State and Federal laws, Executive Orders, and Federal rules and regulations, and shall comply with all State standards for public health and safety, environmental protection, and siting construction, operation, maintenance of or for rights-of-way for similar purposes if those standards are more stringent than applicable Federal standards.
3. The Permittee shall cut no timber except as authorized by construction stipulations or maintenance agreements.
4. The Permittee shall maintain the road to protect National Forest System lands. This shall include the construction and maintenance of lead-off drainage and water barriers as necessary to prevent erosion.

5. Permittee shall pay the United States for all injury, loss, or damage, including fire suppression costs, in accordance with Federal and State laws.

6. Permittee shall indemnify the United States for any and all injury, loss, or damage, including fire suppression costs the United States may suffer as a result of claims, demands, losses, or judgments caused by the Permittee's use or occupancy under this permit.

7. Permittee shall pay annually in advance a sum determined by the Forest Service to be the fair market value of the use authorized by this permit. The initial payment is set at \$ 45.00 for the remainder of the calendar year. Payments for each subsequent calendar year shall be the amount of \$ 45.00 adjusted using the Implicit Price Deflator-Gross National Product index (IPD-GNP), or other factor selected by the Forest Service, to reflect more nearly the current fairmarket value of the use. At intervals to be determined by certain changes in the indexes used to establish the linear rights-of-way fee schedule, the fee shall be reviewed and adjusted as necessary to assure that it is commensurate with the value of the rights and privileges authorized. Failure of the Permittee to pay the annual payment, late charges, or other fees or charges shall cause the permit to terminate.

8. The Permittee shall pay an interest charge on any fee amount not paid by the payment due date.

Interest shall be assessed using the most current rate prescribed by the United States Department of Treasury Financial Manual (TFM-6-8020). Interest shall accrue from the date the fee payment was due. In addition, certain processing and handling administrative costs may be assessed in the event the account becomes delinquent and added to the amounts due.

A penalty of 6 percent per year shall be assessed on any fee amount overdue in excess of 90 days from the due date of the first billing.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date(s) for any of the above payments or fee calculation statements fall on a nonworkday, the charges shall not apply until the close of business of the next workday.

9. All construction or reconstruction of the road shall be in accordance with specifications and requirements appearing in Appendix A attached hereto.

10. The United States may use the roads without cost for all purposes deemed necessary or desirable in connection with the protection and administration of the lands or resources of the United States, provided that it will use the road for commercial hauling purposes, other than the removal of timber cut in construction or maintenance of the road or other occasional incidental use, only after arranging to pay or perform its pro rata share of road maintenance.

11. The Forest Service alone may extend rights and privileges for use of the road constructed on the premises to other non-Federal users provided that such users shall pay a fair share of the current replacement cost less depreciation of the road to the permittee, and reconstruct the road as necessary to accommodate their use.

12. The Forest Service retains the right to occupy and use the right-of-way and to issue or grant rights-of-way for land uses, for other than road purposes, upon, over, under, and through the permit area, provided that the occupancy and use do not interfere unreasonably with the rights granted herein.

13. The Forest Service shall have the right to cross and recross the premises and road at any place by any reasonable means and for any purpose in such manner as does not interfere unreasonably with use of the road.

14. No chemicals will be used for right-of-way clearing.

15. Unless sooner terminated in accordance with the provisions of the permit, or revoked by the Regional Forester, this permit shall expire and terminate on 12/31/2006.

16. This permit may be terminated or suspended upon breach of any of the conditions herein, or revoked at the discretion of the Regional Forester.

17. Upon termination or revocation of this special-use authorization, the Permittee shall remove within a reasonable time the structures and improvements and shall restore the site to a condition satisfactory to the authorized officer, unless otherwise waived in writing or in the authorization. If the Permittee fails to remove the structures or improvements within a reasonable period, as determined by the authorized officer, they shall become the property of the United States, but this does not relieve the Permittee from liability for the removal and site restoration costs.

In Witness Whereof, the parties hereto have caused this permit to be duly executed on this 7th day of July, 1997.

Permittee
by Robert Steele
Robert Steele

USDA Forest Service
by Peter W. Karp
Peter W. Karp
Forest Supervisor
Uinta National Forest

Public reporting burden for this collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Washington D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB # 0596-0082), Washington, D.C. 20503.